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U.S. Bank National Association

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**ROBERTA KELLY and D. LAWRENCE
OLSTAD,**

CV 08-1421-AC

Plaintiffs,

v.

**U.S. BANK; BISHOP, WHITE &
MARSHALL, P.S., a Washington
Professional Services Company; and
KRISTA WHITE,**

Defendants.

**U.S. BANK NATIONAL ASSOCIATION'S
MOTION TO STRIKE APPENDIX AND
EXHIBITS**

U.S. BANK NATIONAL ASSOCIATION,

Third-Party Plaintiff,

v.

**CITY OF PORTLAND, a municipal
corporation; and MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC., an inactive Oregon**

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corporation, **CREDIT CARD RECEIVABLES FUND INCORPORATED**, an Ohio corporation doing business as UNIFUND CCR **PARTNERS**, and **ZB LIMITED PARTNERSHIP**, a Delaware limited partnership doing business as UNIFUND CCR PARTNERS,

Third-Party Defendants.

MOTION

Defendant U.S. Bank National Association moves this court for an order striking exhibits to plaintiffs' memorandum of law opposing defendant U.S. Bank's motion for summary judgment (the "Response") and plaintiffs' supplementary memorandum of law opposing defendant U.S. Bank's motion for summary judgment (the "Supp. Response").

Specifically, U.S. Bank moves the court for an order striking from the record the following exhibits:

- Appendix A to the Response;
- Exhibits 1 through 3 to the Response;
- Exhibits 5 through 23 to the Response; and
- All exhibits to the Supp. Response.

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This motion is supported by the accompanying memorandum of law, and the pleadings and files in this case.

DATED this 17th day of March, 2010.

MILLER NASH LLP

/s/ Jeanne Kallage Sinnott

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I hereby certify that on the date set forth below I served the foregoing U.S. Bank National Association's motion to strike appendix and exhibits on:

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By CM/ECF system transmission.

DATED this 17th day of March, 2010.

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